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JCS985 U.S. PTO

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BOX 500

Please type a plus (+) inside this box → **+**

PTO/SB/29 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|  |                   |             |     |
|--|-------------------|-------------|-----|
| Attorney Docket No.                            | 7326-122          | Total Pages | 126 |
| First Named Inventor or Application Identifier |                   |             |     |
| David Ish-Horowicz                             |                   |             |     |
| Express Mail Label No.                         | EL 501 636 976 US |             |     |

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
*Submit an original, and a duplicate for fee processing*
2. ☒ Specification [Total Pages 93]  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description of the Invention (including drawings, if filed)
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 37]
4. ☒ Oath or Declaration (in three counterparts) [Total Sheets 6]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*  
[Note Box 5 below]
  - i. ☐ DELETION OF INVENTORS(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a. ☒ Computer Readable Copy
  - b. ☒ Paper Copy (identical to computer copy)
  - c. ☒ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
*(when there is an assignee)*
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
12. ☒ Preliminary Amendment, with Exhibits A-C
13. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
14. ☐ Small Entity ☐ Statement filed in prior application,  
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16. ☒ Other: Preliminary Amendment Fee Sheet, Declaration  
under 37 C.F.R. § 1.68 and M.P.E.P. § 608.01(p),  
and a copy of the claims that will be pending upon  
entry of the preliminary amendment

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:  
☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 08/981,392, filed December 22, 1997

## 18. CORRESPONDENCE ADDRESS

|   |  |   |           |  |  |
|---|--|---|-----------|--|--|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label |  | 20583<br><i>(Insert Customer No. or Attach bar code label here)</i> |           | or <input type="checkbox"/> Correspondence address below |  |
| NAME  |  |   |           |  |  |
| ADDRESS   |  |   |           |  |  |
| CITY  |  |   | STATE     |  |  |
| COUNTRY   |  |   | TELEPHONE |  |  |
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Prior application: Examiner K. CarlsonArt Unit 1653Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b), of pending prior application no. 08/981,392, filed on December 22, 1997

of Davis Ish-Horowicz, Domingos M.P. Henrique, Julian Hart Lewis, Spyridon Artavanis-Tsakonas and Grace Gray  
(inventor(s) currently of record in prior application)

for NUCLEOTIDE AND PROTEIN SEQUENCES OF VERTEBRATE DELTA GENES AND METHODS BASED THEREON  
(title of invention)

1. ☒ The filing fee is calculated below in view of the preliminary amendment in Paragraph 3 below:

**PATENT APPLICATION FEE VALUE**

| TYPE   | NO. FILED | LESS | EXTRA | EXTRA RATE   | FEE       |
|--|-----------|------|-------|--------------|-----------|
| Total Claims   | 6         | -20  | 0     | \$18.00 each | \$ 0.00   |
| Independent  | 2         | -3   | 0     | \$80.00 each | \$ 0.00   |
| Basic Fee  |           |      |       |              | \$ 710.00 |
| Multiple Dependency Fee<br>If Applicable (\$270.00)                                      |           |      |       |              | \$ 0.00   |
| <b>Total</b>   |           |      |       |              | \$ 710.00 |
| 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern |           |      |       |              | - \$ 0.00 |
| <b>Total Filing Fee</b>  |           |      |       |              | \$ 710.00 |

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Cancel without prejudice in this application original claims 1-28, 33-59 and 62-98 of the prior application by preliminary amendment before calculating the filing fee.
- 4a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this

application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

- 4b. ☐ New formal drawings are enclosed.
- 4c. ☒ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to Yale University and Imperial Cancer Research Technology, Ltd.
- 7a. ☒ The Power of Attorney appears in the original papers in the prior application no. 08/981,392, filed December 22, 1997. A copy of the Power of Attorney in three counterparts from prior application no. 08/981,392, filed December 22, 1997 is enclosed.
- 7b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no. , filed is enclosed.
8. ☒ Additional enclosures or instructions: Preliminary Amendment with Exhibits A-C, Preliminary Amendment Fee Transmittal Sheet, a copy of the claims that will be pending upon entry of the Preliminary Amendment, a Declaration under 37 C.F.R. § 1.68 and M.P.E.P. § 608.01(p), Sequence Listing in paper and computer-readable form, and Transmittal of Sequence Listing.

Date February 15, 2001

Respectfully submitted,

*S. Leslie Misrock*

S. Leslie Misrock  
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*by Adriane Antler*  
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18,872

(Reg. No.)

Express Mail No.: EL 501 636 976 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Ish-Horowicz et al.

Application No.: To be assigned; Divisional of Serial No. 08/981,392, filed December 22, 1997  
Group Art Unit: To be assigned  
Examiner: To be assigned

Filed: on even date herewith

Attorney Docket No.: 7326-122

For: ANTIBODIES TO VERTEBRATE  
DELTA PROTEINS AND  
FRAGMENTS (as amended)

**TRANSMITTAL OF SEQUENCE LISTING**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In connection with the above-identified application, Applicants submit herewith a Sequence Listing in paper and computer readable form pursuant to 37 C.F.R. §1.821(c), (d) and (e), respectively.

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c), (d) and (e), respectively, are the same.

Respectfully submitted,

Date: February 15, 2001

S. Leslie Misrock 18,872  
S. Leslie Misrock (Reg. No.)

By: Adriane M. Antler 32,605  
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